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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR08-00477 DLJ
	)	
Plaintiff,	)	STIPULATION AND ORDER
	)	EXCLUDING TIME UNDER THE
v.	)	SPEEDY TRIAL ACT, 18 U.S.C. § 3161
	)	ET SEQ.
EDITH NELSON,	)	
RONALD NELSON,	)	
NELDA ASUNCION, and	)	
CRISTETA LAGAREJOS,	)	
	)	
Defendants.	)	
	)	
	)	

IT IS HEREBY STIPULATED AND REQUESTED, by and between the parties to this action, that the current status date of February 25, 2011 at 9 a.m. be vacated and reset for April 22, 2011 at 9 a.m. In this mortgage loan fraud case, which this Court has ruled is “complex” under the Speedy Trial Act, voluminous discovery was provided to the defense, including extensive computer data seized during the execution of search warrants. The lawyer for defendant Ronald Nelson has recently consulted with a mortgage loan expert for assistance in the review and analysis of the discovery. The lawyers for the other defendants also seek additional time to review and analyze the discovery, and to pursue additional investigation as needed. Further, the parties need more time

STIPULATION AND ORDER  
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to evaluate the complicated issues of loss and restitution consistent with current law governing mortgage loan fraud. All of these matters are very time-consuming.

In addition, the undersigned Assistant United States Attorney will not be available on February 25, 2011 as the result of a five-defendant mortgage loan fraud trial scheduled to commence on February 22, 2011 in *U.S. v. Andrew Ashiegbu et al*, CR 10-00422 CRB, and related case *U.S. v. Ursula Ogamba*, CR09-00776 CRB, which the government estimates will last three or four weeks.<sup>1</sup>

The parties further stipulate and agree that the time from February 25, 2011 through April 22, 2011 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) on the basis that the ends of justice are served by taking such action which outweigh the best interest of the public and the defendant in a speedy trial and also under subsection (B)(iv) for continuity of counsel and effective preparation of counsel, taking into account the exercise of due diligence.

DATED: February 9, 2011

\_\_\_\_\_  
/s/  
DEBORAH R. DOUGLAS  
Assistant United States Attorney

DATED: February 9, 2011

\_\_\_\_\_  
/s/  
JOYCE LEAVITT  
Assistant Federal Public Defender  
Attorney for Defendant Edith Nelson

DATED: February 9, 2011

\_\_\_\_\_  
/s/  
GILBERT EISENBERG  
Attorney for Defendant Ronald Nelson

DATED: February 9, 2011

\_\_\_\_\_  
/s/  
DEBORAH G. LEVINE  
Attorney for Defendant Nelda Auncion

DATED: February 9, 2011

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/s/  
JOHN J. JORDAN  
Attorney for Defendant Cristeta Lagarejos

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<sup>1</sup> One of the five defense lawyers has recently filed a motion for a continuance, but that motion has not yet been decided.

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UNITED STATES OF AMERICA,	)	No. CR08-00477 DLJ
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Plaintiff,	)	ORDER EXCLUDING TIME UNDER THE
	)	SPEEDY TRIAL ACT, 18 U.S.C. § 3161 ET
v.	)	SEQ.
	)	
EDITH NELSON,	)	
RONALD NELSON,	)	
NELDA ASUNCION, and	)	
CRISTETA LAGAREJOS,	)	
	)	
Defendants.	)	

GOOD CAUSE APPEARING, and pursuant to the stipulation of the government and the above-captioned defendants, IT IS HEREBY ORDERED that the status conference date in this case, currently scheduled for February 25, 2011 at 9 a.m. before the Honorable D. Lowell Jensen, is VACATED and RESET for April 22, 2011 at 9 a.m.

IT IS FURTHER ORDERED that the time from February 25, 2011 through April 22, 2011 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for adequate preparation of counsel and continuity of counsel. The Court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendants in a speedy and public trial and the failure to grant the requested

1 continuance would unreasonably deny counsel the reasonable time necessary for effective  
2 preparation and continuity of counsel, taking into account due diligence.

3  
4 IT IS SO ORDERED.

5 Dated: February 10, 2011

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HONORABLE D. LOWELL JENSEN  
United States District Judge